

Docket No.: M1071.1920
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Soshu Kirihara et al.

Application No.: 10/509,730

Confirmation No.: 9942

Filed: September 30, 2004

Art Unit: 1775

For: THREE DIMENSIONAL PERIODIC
STRUCTURE AND METHOD OF
PRODUCING THE SAME

Examiner: Gordon Baldwin

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated November 11, 2006, please consider the above-identified U.S. patent application in light of the following response.

Remarks/Arguments begin on page 3 of this paper.

FEE CALCULATION

Any additional fee required has been calculated as follows:

_____ If checked, Small Entity status is claimed.

	No. Claims After Amendment		Highest No. Previously Paid For		Extra Present		Rate	Additional Fee
Total	13	MINUS	20**	=	0	X		\$
Indep.	1	MINUS	3**	=	0	X		\$
First presentation of multiple dependent claim(s)						X		\$
TOTAL								\$ -0-

* not less than 20

** not less than 3

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 50-2215.